

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

APR 18 2012

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

KEVIN EMBRY, individually and on  
behalf of himself, the general public and  
those similarly situated,

Plaintiff - Appellee,

CHRISTOPHER BANDAS,

Objector - Appellant,

v.

ACER AMERICA CORPORATION, a  
California corporation,

Defendant - Appellee.

No. 12-15555

D.C. No. 5:09-cv-01808-JW  
U.S. District Court for Northern  
California, San Jose

**ORDER**

A review of the file in this case reveals that counsel has failed to perfect the appeal as prescribed by the Federal Rules of Appellate Procedure.

Pursuant to Ninth Circuit Rule 42-1, this appeal is dismissed for failure to pay the docketing/filing fees in this case. Counsel for appellant is directed to notify immediately his/her client in writing regarding this dismissal.

This order served on the district court shall constitute the mandate of this court.

FOR THE COURT:  
Molly C. Dwyer  
Clerk of Court

Dru E. Van Dam  
Deputy Clerk